

DATE

Ms. Allison B. Nihart  
1181 Brook Ct.  
Mandeville, LA 70448

**RE: Louisiana Board of Ethics Docket No. 2021-1056  
Advisory Opinion**

Dear Ms. Nihart:

The Louisiana Board of Ethics (“Board”), at its February 4, 2022 meeting, considered your request for an advisory opinion as to whether the Code of Governmental Ethics (“Code”) would prohibit St. Tammany Parish school dance teams from participating in events hosted by your company, American All-Star, L.L.C. (“AAS”), while you are employed as a teacher with the St. Tammany Parish School Board.

#### **FACTS PROVIDED**

You are an English/Language Arts and Math Teacher at Fontainebleau Junior High School, a St. Tammany Parish School Board school. You stated that you own AAS, a small business organized under the laws of the State of Louisiana. AAS is a dance event business, servicing the Gulf Coast region, Nevada, and Texas. The company provides choreography, dance instruction, and leadership strategies to elementary, middle, high school public and private institutions by way of “summer dance camps.” AAS also hosts multiple dance competitions open to all dance groups. Teams pay registration “fees” to participate in the dance camps and the competitions, which cover the expenses of offering and conducting the “event.” A small number of St. Tammany Parish school dance teams (approximately three to five teams) participate in these AAS events yearly.

#### **LAW**

**La. R.S. 42:1102(20.1)** defines “service” to mean the performance of work, duties, responsibilities, or the leasing, rental, or sale of movable or immovable property.

**La. R.S. 42:1111C(2)(d)** provides that no public servant and no legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent, shall receive any thing of economic value for or in consideration of services rendered, or to be rendered, to or for any person during his public service unless such services are: (d) Neither performed for nor compensated by any person or from any officer, director, agent, or employee of such person, if such public servant knows or reasonably should know that such person has or is seeking to obtain contractual or other business or financial

relationships with the public servant's agency; conducts operations or activities which are regulated by the public employee's agency; or has substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duty.

#### ANALYSIS

La. R.S. 42:1111C(2)(d) prohibits a public servant and any legal entity in which the public servant owns more than twenty-five percent from receiving any thing of economic value for service rendered or to be rendered for any person from whom the public servant would be prohibited from receiving gifts in accordance with La. R.S. 42:1115A(1) or B. La. R.S. 42:1111C(2)(d) would prohibit you from receiving a thing of economic value from students taught by you.

#### CONCLUSION

The Board concluded, and instructed me to inform you, that based on the facts presented, the Code does not prohibit you from allowing St. Tammany Parish school dance teams from participating in events hosted by your company, American All-Star, L.L.C., while you are employed as a teacher with St. Tammany Parish Board – as long as none of the students taught by you participate on those teams.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Louisiana Code of Governmental Ethics. The Louisiana Board of Ethics issues no opinion as to past conduct or as to laws other than the Louisiana Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Act, and the conflict of interest provisions contained in the Louisiana Gaming Control Law. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

**LOUISIANA BOARD OF ETHICS**

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LaToya D. Jordan  
For the Board